

REMARKS

INTRODUCTION:

As set forth in the preceding section, claims 1, 3, 44, and 45 have been amended. Support for the amendments may be found at least at paragraphs [0018] and [0023] and FIG. 6 of the present application and therefore no new matter has been added.

Claims 1, 2, 3, 5-12, 44 and 45 are pending and under consideration. Claims 1, 44 and 45 are independent claims. Applicant requests reconsideration and allowance of the present application in view of the current amendments and the following remarks.

REJECTIONS UNDER 35 USC §103:

Claims 1-2, 5-12, 44 and 45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,959,288 to Medina et al. ("Medina") in view of U.S. Patent No. 6,823,436 to Krishnamurthy et al. ("Krishnamurthy"). Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Medina in view of Krishnamurthy and further in view of U.S. Patent No. 7,209,571 to Davis et al. ("Davis"). The rejections are respectfully traversed.

Amended independent claim 1 recites at least the following:

generating a plurality of metadata fragment data by partitioning
metadata to be transmitted based upon a predetermined semantic
unit

The cited portions of Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features.

The Office Action notes at page 4, item 8, that "Medina does not explicitly disclose in detail dividing the metadata based upon a predetermined semantic unit." However, the Office Action seeks to modify Medina based on Krishnamurthy and asserts that Krishnamurthy describes the above-recited features because Krishnamurthy describes "the segment metadata table entry corresponding to the offset" at col. 4, lines 19-30 and 46-60 and col. 5, lines 61-67. Applicant respectfully disagrees with the Office Action conclusion for at least the following reasons.

The cited portion of Krishnamurthy states in part:

The relationship between the subsegment size and the extent of the metadata node can be expressed as:

$SS_Size = Metadata_Extent / Bits_Per_SSIndex$.

As an example, for a Metadata_Extent of 1024 blocks and 8 bits per SSIndex, the subsegment size, SS_Size is 128 blocks.

Accordingly, it can be seen from the text cited above, that a size of a Metadata subsegment as described in Krishnamurthy is related to a block size of available memory storage. Thus, metadata in Krishnamurthy is partitioned into subsegments of varying size and not based upon a predetermined semantic unit as claimed.

Amended independent claim 1 further recites at least the following:

transmitting a container including the selected metadata fragment data and the metadata-related metadata container-level authentication message digest information with data format information indicating a type of the selected metadata fragment data.

The cited portions of Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features.

The Office Action asserts at page 4, item 8, that "Medina describes at least some of the above-recited features at col. 16, lines 55-64. Applicant respectfully disagrees that Medina describes all of the above-claimed features for at least the following reasons.

The cited portion of Medina states in full:

"In the Secure Digital Content Electronic Distribution System 100, since SC(s) contain several data parts, a digest is calculated for each part and a summary digest is calculated for the concatenated part digests. The summary digest is encrypted using the private key of the issuer of the SC(s). The encrypted summary digest is the issuer's digital signature for the SC(s). The part digests and the digital signature are included in the body of the SC(s). The recipients of SC(s) can verify the integrity of the SC(s) and its parts by means of the received digital signature and part digests."

Thus, the cited portion of Medina describes a secure container (SC) containing several data parts wherein a digest is calculated for each data part. However, the Office Action fails to establish that the secure container described above includes "data format information indicating a type of the selected metadata fragment data." For example, the cited text states that "a digest is calculated for each part" but fails to mention that format information of the data is included in

the digest and consequently cannot suggest “format information indicating a type of the selected metadata fragment data.” If the rejection is to be maintained, Applicant respectfully requests the Office provide a specific paragraph number and figure reference, along with a particular explanation of how all of the above-recited features are described.

Referring to columns 31 and 32 of Medina, a table illustrates all of the component parts of a Metadata Secure Container as described in Medina. However, none of the component parts set forth “data format information indicating a type of the selected metadata fragment data” as recited in amended claim 1. Accordingly, Applicant asserts that Medina fails to describe all of the above-claimed features of claim 1.

Further, the cited portions of Krishnamurthy and Davis fail to compensate for the deficiencies of Medina.

Accordingly, Applicant respectfully submits that amended independent claim 1 patentably distinguishes over Medina, Krishnamurthy and Davis, and should be allowable for at least the above-mentioned reasons. Regarding the rejection of claims 2-3 and 5-12, these claims depend directly or indirectly on independent claim 1 and are therefore believed to be allowable for at least the reasons noted above.

Amended independent claim 44 recites at least the following:

generating a plurality of metadata fragment data by partitioning metadata to be transmitted based upon a predetermined semantic unit having a predetermined meaning.

The cited portions of Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features.

The Office Action notes at page 2, item 6, that “Medina does not explicitly disclose in detail dividing the metadata based upon a predetermined semantic unit.” However, the Office Action seeks to modify Medina based on Krishnamurthy and asserts that Krishnamurthy describes at least some of the above-recited features because Krishnamurthy describes “the segment metadata table entry corresponding to the offset” at col. 4, lines 19-30 and 46-60 and col. 5, lines 61-67.

Applicant respectfully disagrees with the Office Action conclusion for at least the following reasons.

The portions of Krishnamurthy cited above describe dividing metadata into Metadata sub-segments. The Metadata sub-segments, as described in Krishnamurthy, may vary in length

depending on a block size of available memory storage. Accordingly, metadata in Krishnamurthy is partitioned into subsegments of varying size and not based upon a predetermined semantic unit having a predetermined meaning, as claimed, and therefore Krishnamurthy fails to describe all of the above-recited features.

Further, the cited portions of Medina and Davis fail to compensate for the deficiencies of Krishnamurthy.

Amended independent claim 44 further recites at least the following:

transmitting a container including the selected metadata fragment data and the metadata digest information with data format information indicating a type of the selected metadata fragment data

The cited portions of Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features.

The Office Action asserts at page 4, item 8, that "Medina describes at least some of the above-recited features at col. 16, lines 55-64. However, Applicant respectfully asserts that Medina fails to describe all of the above-claimed features of claim 44 as amended.

Further, the cited portions of Krishnamurthy and Davis fail to compensate for the deficiencies of Medina.

Accordingly, Applicant respectfully submits that amended independent claim 44 patentably distinguishes over Medina, Krishnamurthy and Davis, and should be allowable for at least the above-mentioned reasons.

Amended independent claim 45 recites at least the following:

transmitting a container including a metadata container-level authentication container including the selected metadata fragment data and the metadata container-level authentication message digest information with data format information indicating a type of the selected metadata fragment data.

The cited portions of Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features.

The Office Action asserts at page 8, item 8, that "Medina describes all of the above-recited features at col. 16, lines 55-64, col. 27 line 58 through col. 28, line 5, and col. 29, lines 28-36. Applicant respectfully disagrees that Medina describes all of the above-claimed features for at least the following reasons.

The first cited portion of Medina states:

“In the Secure Digital Content Electronic Distribution System 100, since SC(s) contain several data parts, a digest is calculated for each part and a summary digest is calculated for the concatenated part digests. The summary digest is encrypted using the private key of the issuer of the SC(s). The encrypted summary digest is the issuer's digital signature for the SC(s). The part digests and the digital signature are included in the body of the SC(s). The recipients of SC(s) can verify the integrity of the SC(s) and its parts by means of the received digital signature and part digests” (col. 16, lines 55-64).

Thus, the cited portion of Medina describes a secure container (SC) containing several data parts wherein a digest is calculated for each data part. However, the Office Action fails to establish that the secure container described above includes “data format information indicating a type of the selected metadata fragment data.” For example, the cited text states that “a digest is calculated for each part” but fails to mention that format information of the data is included in the digest and consequently cannot suggest “format information indicating a type of the selected metadata fragment data.” If the rejection is to be maintained, Applicant respectfully requests the Office provide a specific paragraph number and figure reference, along with a particular explanation of how all of the above-recited features are described.

Referring to columns 31 and 32 of Medina, a table illustrates all of the component parts of a Metadata Secure Container as described in Medina. However, none of the component parts set forth “data format information indicating a type of the selected metadata fragment data” as recited in claim 45. Accordingly, Applicant asserts that the first cited portion of Medina fails to describe all of the above-claimed features of claim 45.

The second cited portion of Medina states:

“SC(s) may include more than one BOM. For example, an Offer SC(s) 641 consists of the original Metadata SC(s) 620 parts, including its BOM, as well as additional information added by the Electronic Digital Content Store(s) 103 and a new BOM. A record for the Metadata SC(s) 620 BOM is included in the Offer SC(s) 641 BOM. This record includes a digest for the Metadata SC(s) 620 BOM which can be used to validate its integrity and therefore, the integrity of the parts included from the Metadata SC(s) 620 can also be validated using the part digest values stored in Metadata SC(s) 620 BOM. None of the parts from the Metadata SC(s) 620 have records in the new BOM that was created for the Offer SC(s) 641. Only parts added by the Electronic Digital Content Store(s) 103 and the Metadata SC(s) 620 BOM have records in the new

BOM.” (col. 27 line 58 through col. 28, line 5).

The second cited portion of Medina describes a digest for the Metadata SC(s) 620 BOM. However, the Office Action fails to specifically describe how the cited text describes “metadata fragment data.” Further, the cited text clearly does not describe “data format information indicating a type of the selected metadata fragment data.” Accordingly, Applicant asserts that the second cited portion of Medina fails to describe all of the above-claimed features of claim 45.

The third cited portion of Medina states:

“Offer SC(s) 641 are included in a Transaction SC(s) 640 when an End-User(s) decides to purchase Content 113 from an Electronic Digital Content Store(s) 103 . The Electronic Digital Content Store(s). 103 builds a Transaction SC(s) 640 and includes Offer SC(s) 641 for each Content 113 item being purchased and transmits it to the End-User Device(s) 109 . The End-User Device(s) 109 receives the Transaction SC(s) 640 and validates the integrity of the Transaction SC(s) 640 and the included Offer SC(s) 641” (col. 29, lines 28-36).

The second cited portion of Medina describes [o]ffer SC(s) 641 that are included in a Transaction SC(s). However, the Office Action fails to specifically describe how the cited text describes “metadata” or “metadata fragment data.” Further, the cited text clearly does not describe “data format information indicating a type of the selected metadata fragment data.” Accordingly, Applicant asserts that the third cited portion of Medina fails to describe all of the above-claimed features of claim 45.

Further, the cited portions of Krishnamurthy and Davis fail to compensate for the deficiencies of Medina.

Accordingly, Applicant respectfully submits that independent claim 45 patentably distinguishes over Medina, Krishnamurthy and Davis, and should be allowable for at least the above-mentioned reasons.

Amended dependent claim 3 recites at least the following:

“[t]he method of claim 1, wherein the data format information indicates whether the selected metadata fragment data has a binary XML format or a text XML format, and each container includes metadata fragment data having only one of a binary XML format and a text XML format.”

Applicant respectfully submit that Medina, Krishnamurthy and Davis, alone or in combination, fail to suggest or disclose all of the above-claimed features of claim 3 as amended.

REQUEST FOR ENTRY IN ACCORDANCE WITH 37 CFR 1.116:

Entry of this Amendment in accordance with 37 CFR 1.116 is respectfully requested. Applicant submits that this Amendment After Final Rejection places the subject application in condition for allowance. This Amendment was not presented earlier because Applicant believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues under appeal is requested under 37 C.F.R. § 1.116.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

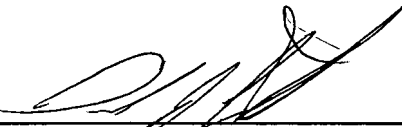
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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